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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 STATE OF CALIFORNIA, *ex rel.*  
12 JAYDEEN VICENTE and JAYDEEN  
13 VICENTE, Individually,

No. C 07-04911 CRB  
**ORDER**

Relator,

v.

15 ELI LILLY AND CO.,

16 Defendant.

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17  
18 Now pending before the Court is defendant's ex parte motion to place under seal  
19 certain documents attached to the Complaint. Civil Local Rule 79-5(a) provides that a  
20 "sealing order may issue only upon a request that establishes that the document, or portions  
21 thereof, is privileged or protectable as a trade secret or otherwise entitled to protection under  
22 the law." "A stipulation, or a blanket protective order that allows a party to designate  
23 documents as sealable, will not suffice to allow the filing of documents under seal." Id.

24 Defendant's motion is DENIED without prejudice to defendant renewing its motion  
25 and actually making the showing required by the Local Rule. Defendant has not submitted  
26 any evidence that establishes that the particular documents attached to the Complaint that it  
27 seeks to seal are confidential. Defendant must offer evidence as to what the documents are  
28 and why they are confidential; simply asserting that the documents are the same or similar to

1 documents covered by a protective order in another case in another court does not meet  
2 defendant's burden.

3 **IT IS SO ORDERED.**

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5 Dated: October 22, 2007  
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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE